

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF NEW YORK Attorney: STEVEN ALAN HOFFNER, ESQ.

THERESA GARDNER

Plaintiff(s)

- against -

Index # 08 CV 1135

THE CITY OF NEW YORK, ETAL

Defendant(s)

Purchased March 14, 2008

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

JUDITH ROGERS BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on March 27, 2008 at 11:00 AM at

LEAVE INTEGRITY MANAGEMENT SECTION
305 FRONT STREET
1ST FLOOR
STATEN ISLAND, NY 10304

deponent served the within FIRST AMENDED SUMMONS AND FIRST AMENDED COMPLAINT on N.Y.C. POLICE OFFICER BRIAN POLLOCK, SHIELD # 2711 therein named,

SUITABLE AGE by delivering thereat a true copy of each to VICKY "SMITH" a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. She identified herself as the CO-WORKER of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	WHITE	BROWN	30	5'4	130

MAILING Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business atLEAVE INTEGRITY MANAGEMENT SECTION
305 FRONT STREET
1ST FLOOR
STATEN ISLAND, NY 10304

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on April 1, 2008 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

PERSON SPOKEN TO REFUSED TO STATE TRUE FIRST AND/OR LAST NAMES

MILITARY SERVICE Person spoken to was asked whether the Defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the Defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: April 1, 2008

JOEL GRABER
Notary Public, State of New York
No. 02GR4699723
Qualified in New York County
Expires February 10, 2010JOSEPH KNIGHT
Notary Public, State of New York
No. 01KN6178241
Qualified In New York County
Expires November 26, 2011JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Expires December 4, 2010
JUDITH ROGERS

License #: 1204329

Invoice #: 459477